

REMARKS

Upon entry of the present amendment, several portions of the specification will have been amended to eliminate minor typographic errors. Additionally, claims 1, 4 and 5 will have been canceled, claims 2, 3 and 6-10 will have been amended and claims 11-17 will be submitted for consideration by the Examiner.

In view of the hereincontained amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections together with an indication of the allowability of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant respectfully thanks the Examiner for acknowledging his claim for foreign priority under 35 U.S.C. § 119 as well as for confirming receipt of the certified copies of the priority documents upon which the above-noted claim for foreign priority is based.

Additionally, Applicant respectfully thanks the Examiner for indicating the acceptance of the drawings filed in the present application on September 9, 2003. Finally, Applicant respectfully thanks the Examiner for considering the documents cited in the Information Disclosure Statement filed in the present application on December 16, 2003, by the return of the signed and initialed PTO-1449 Form attached thereto.

In the outstanding Official Action, the Examiner rejected claims 1-3 and 7-10 under 35 U.S.C. § 102(b) as being anticipated by GREGGAIN (U.S. Patent No. 5,602,599). Claim 6 was rejected under 35 U.S.C. § 103 as unpatentable over GREGGAIN and further in view of NAKASE (U.S. Patent No. 6,738,169).

The Examiner indicated that claims 4 and 5 are objected to for being dependent upon a rejected base claim. However, the Examiner indicated that these claims would be allowable if

rewritten into independent form including all the limitations of the base claim and any intervening claims.

By the present response, Applicant does not in any manner acquiesce in the propriety of the Examiner's rejection applied against claims 1-3 and 7-10 or with respect to the rejection applied against claim 6. Rather, by the present response, Applicant has incorporated the recitations of claims 4 and 5 into claims 9 and 10 (and claims 11 and 12) merely to expedite prosecution.

Accordingly, at least based on the Examiner's indication with respect to claims 4 and 5 (which depended from claim 1), Applicant respectfully submits that presently pending independent claims 9, 10, 11 and 12 are all patentable over the references of record cited by the Examiner. In particular, by the present response, claim 9 has been amended to incorporate the limitations of claim 4 and newly submitted claim 11 essentially consists of the limitations of claim 9 and claim 5. Similarly, claim 10 has been rewritten to include the limitations of claim 4, and claim 12 consists essentially of the limitations of claims 10 and 5. Additionally, the dependency of the dependent claims has been amended and new dependent claims have been submitted with similar recitations to depend from the newly submitted independent claims 11 and 12.

Accordingly, and again without acquiescing in the propriety of any of the rejections asserted by the Examiner, Applicant respectfully submits that all the claims in the present applications are clearly in condition for allowance. Accordingly, Applicant respectfully requests an indication to such effect, in due course.

In amending the above-noted claims and in submitting the new claims, Applicant has revised the language thereof to enhance clarity as well as to enhance compliance with U.S.

grammar, idiom and syntax. Additionally, the specification has been amended in several instances to eliminate minor typographic and other informalities in the language thereof.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections together with an indication of the allowability of all the claims pending in the present application, in due course. Such action is respectfully requested and is now believed to be appropriate and proper.

SUMMARY AND CONCLUSION

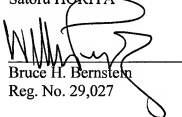
Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has rewritten each of the independent claims in the present application to include features from claims that the Examiner indicated to contain allowable subject matter. Such action has been expressly taken without in any manner acquiescing in the propriety of any of the Examiner's rejections asserted in the present application.

Nevertheless, Applicant respectfully submits that in view of the amendments of the claims and at least for the reasons that the Examiner indicated claims 4 and 5 to contain allowable subject matter, all the claims in the present application are now submitted to contain allowable combinations of subject matter. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully request an indication to such effect, in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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